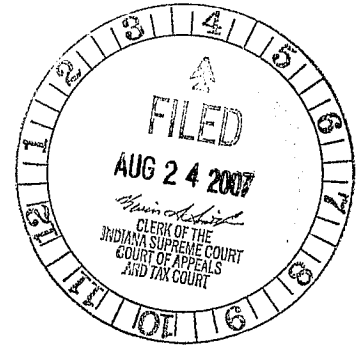


In the
Indiana Supreme Court



IN THE MATTER OF)
)
THE APPOINTMENT OF A)
)
JUDGE PRO TEMPORE IN)
)
BOONE CIRCUIT COURT)

Case No. 06S00-~~066~~MS-228

ORDER APPOINTING JUDGE PRO TEMPORE

The Hon. Steve David, Judge of the Boone Circuit Court, has advised this Court that he has been ordered to active military duty and, as a result, the appointment of a Judge *Pro Tempore* is necessary for the Boone Circuit Court for the duration of Judge David's active military service. Judge David has further advised this Court that attorney J. Jeffrey Edens is willing to serve as Judge *Pro Tempore*. Accordingly, we find that, in the interests of the continuing administration of justice and pursuant to Ind.Trial Rule 63(B), J. Jeffrey Edens should be appointed as Judge *Pro Tempore* of the Boone Circuit Court to discharge temporarily the duties of that office.

IT IS, THEREFORE, ORDERED that J. Jeffrey Edens, an attorney admitted to practice law in this state, is appointed as Judge *Pro Tempore* in the Boone Circuit Court, effective September 12, 2007, until Judge David returns to the bench or further order of this Court. This order shall be sufficient authority for Judge *Pro Tempore* Edens to continue the employment of court personnel and otherwise discharge the duties of Judge of the Boone Circuit Court.

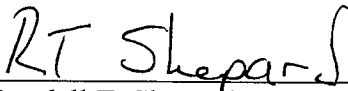
IT IS FURTHER ORDERED that for the duration of this appointment, Judge *Pro Tempore* Edens shall not be eligible for local appointment as a special judge pursuant to Ind.Trial Rule 79(H) in any matter where the need for appointment of a special judge arises after the date

of this Order. We find the unique circumstances of this situation sufficient to justify Judge *Pro Tempore* Edens' exclusion from the local special judge appointment rotation during his tenure as Supreme Court Judge *Pro Tempore*.

IT IS FURTHER ORDERED that Judge David shall provide Judge *Pro Tempore* Edens and the Clerk of the Boone Circuit Court a list of those cases in which Judge David is currently serving as special judge. If not disqualified, during his term of service as Supreme Court Judge *Pro Tempore*, Judge *Pro Tempore* Edens may hear those cases in which Judge David is serving as special judge. The Clerk of the Boone Circuit Court shall send a copy of this Order to the clerks of the courts in which Judge David is serving as special judge. Should Judge *Pro Tempore* Edens be unable to take a case because he is disqualified, he shall advise the court in which the case is pending, and a new special judge shall be selected pursuant to Ind. Trial Rule 79(I) since the special judge is no longer available to serve. Upon resuming the bench, Judge David shall resume jurisdiction of those cases in which Judge *Pro Tempore* Edens served as special judge as a result of Judge David's absence.

The Clerk of this Court is directed to forward a certified copy of this Order to the Clerk of the Boone Circuit Court, who is directed to enter this Order into the Record of Judgments and Orders; to the Honorable Steve David, Boone Circuit Court, One Courthouse Square, Lebanon, IN 46052-2159; to J. Jeffrey Edens; to the Division of State Court Administration, payroll department; and to the Indiana Judicial Center.

DONE at Indianapolis, Indiana, this 24th day of August, 2007.



Randall T. Shepard
Chief Justice of Indiana